



General Assembly

Distr.: General
3 October 2005

Original: English

Sixtieth session

Agenda item 77

**Report of the International Tribunal for the Prosecution
of Persons Responsible for Serious Violations of
International Humanitarian Law Committed in the
Territory of the Former Yugoslavia since 1991**

**Letter dated 30 September 2005 from the President of the Security
Council addressed to the President of the General Assembly**

I have the honour to draw your attention to resolution 1629 (2005), which was adopted unanimously by the Security Council at its 5273rd meeting, held on 30 September 2005, concerning the International Tribunal for the Former Yugoslavia.

(Signed) Lauro Baja
President of the Security Council





**General Assembly
Security Council**

Distr.: General
3 October 2005

Original: English

**General Assembly
Sixtieth session**

Agenda items 106, 107 and 108

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

**Security Council
Sixtieth year**

**Note verbale dated 28 September 2005 from the Permanent
Mission of Madagascar to the United Nations addressed to the
Secretary-General**

The Permanent Mission of Madagascar to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith two copies of the action plan adopted by the national expert workshop for the legislative incorporation of the universal instruments against terrorism and transnational organized crime, which was held in Antananarivo from 30 August to 1 September 2005 (see annex).

The Permanent Mission of Madagascar would be grateful if the Secretary-General would bring the recommendations of the workshop to the attention of the General Assembly, under agenda items 106, 107 and 108, and of the Security Council.



**Annex to the note verbale dated 28 September 2005 from the
Permanent Mission of Madagascar to the United Nations
addressed to the Secretary-General**

[Original: French]

**National expert workshop for the legislative incorporation of the
universal instruments against terrorism and transnational
organized crime**

**Antananarivo, Republic of Madagascar
30 August to 1 September 2005**

Action plan

The participants in the national expert workshop,

Considering the international obligations of the Republic of Madagascar under Security Council resolution 1373 (2001) and the conventions and protocols for the prevention and suppression of terrorism,

Considering that the Republic of Madagascar has already ratified 10 of the 12 universal instruments against terrorism,

Considering the ratification by the Republic of Madagascar of the United Nations Convention against Transnational Organized Crime and its three protocols,

- I. Hereby recommend to the Government of the Republic of Madagascar that it take the following measures:
 1. Deposit, at the sixtieth session of the United Nations General Assembly, the instruments of ratification of the United Nations Convention against Transnational Organized Crime and its three additional protocols, in order to take part in the forthcoming Conference of States Parties;
 2. Begin the ratification process for the following two instruments:
 - Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988;
 - 1988 Protocol to the 10 March 1988 Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;
 3. By the end of 2006, incorporate into domestic law the offences and related provisions established by the universal instruments against terrorism and the United Nations Convention against Transnational Crime and its three protocols, on the basis of the legislative reform proposal drawn up at the present workshop and contained in annex I;
 4. Transmit the supplementary report of the Republic of Madagascar to the Counter-Terrorism Committee of the United Nations Security Council and the reports to the Security Council Committees established pursuant to resolutions 1267 (1999) and 1540 (2004);

5. Consider the Research Department of the Ministry of Justice as the national focal point for monitoring the implementation of the universal instruments against terrorism and of this action plan and, in conjunction with the Department of Multilateral Cooperation of the Ministry of Foreign Affairs, for drafting the reports due to the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004);
 6. Participate at the highest level in the Third Conference of Ministers of Justice of the African Francophone Countries, to be held in Dakar from 3 to 5 November 2005, and in the Moroni subregional workshop of member States of the Indian Ocean Commission on strengthening judicial cooperation in criminal matters, to be held from 28 to 31 November 2005;
- II. Request UNDCP to:
1. Organize in Antananarivo from 22 to 24 November 2005, in cooperation with the International Monetary Fund and Interpol, a national training workshop for magistrates and the competent law enforcement services in applying the above-mentioned instruments;
 2. Organize a specific national training workshop on extradition and mutual judicial assistance;
 3. Provide technical and material assistance for the publication, reproduction and dissemination of the amended version of the Penal Code incorporating the above-mentioned instruments into domestic law;
 4. Train specialized national counter-terrorism experts and teach them how to disseminate the expertise thus acquired at the national level, including to the National Judicial College, the National Gendarmerie College, the National Police College and all other relevant colleges;
 5. Provide appropriate equipment and expertise to the Ministry of Justice with a view to raising public awareness in Madagascar about combating terrorism in accordance with the rule of law, inter alia, through video or television footage and video conferencing;
 6. Facilitate the translation and dissemination of UNDCP guides and manuals for the implementation of the above-mentioned instruments in order to ensure better monitoring and effective action against terrorism and transnational organized crime;
- III. Request the competent governmental authorities to bring this action plan to the attention of the Security Council and the sixtieth session of the General Assembly of the United Nations.

**General Assembly
Security Council**Distr.: General
3 October 2005

Original: English

**General Assembly
Sixtieth session
Agenda item 19
Question of Cyprus****Security Council
Sixtieth year****Letter dated 30 September 2005 from the Permanent
Representative of Cyprus to the United Nations
addressed to the Secretary-General**

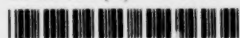
Upon instructions from my Government, I would like to draw your attention to yet another case of destruction of cultural heritage by the Turkish occupation forces in the occupied part of Cyprus. The incident, which is but the most recent in a series of similar occurrences, concerns one of the most important archaeological sites of the Neolithic period in Cyprus.

According to the Turkish Cypriot press, a 7,000-year-old archaeological site of unique historical significance, in the Karpas peninsula, recently suffered irreparable damage when the Turkish army levelled the hilltop on which the ancient settlement was situated. The purpose of this operation, for which bulldozers were used, was to place two flag-poles for the flags of Turkey and the so-called "TRNC", and to open up a new road nearby.

Excavations in the area were conducted in 1970 by Dr. Alain Le Brun on behalf of the French national Centre for Scientific Research. The excavations were interrupted four years later as a result of the Turkish invasion of Cyprus and the illegal occupation of the northern part of the Republic.

The great importance of the aforementioned Neolithic settlement is best documented in Dr. Le Brun's monograph, *Cap Andreas-Kastros: un site néolithique précéramique en Chypre* (Paris, Association pour la diffusion de la pensée française, 1981).

The Government of the Republic of Cyprus holds the Government of Turkey and its subordinate local administration in the occupied area of Cyprus responsible for the deplorable act of vandalism mentioned above. Such actions blatantly violate international conventions on the protection of the cultural heritage, contravene scientific ethics and cause indignation and dismay among Cypriot citizens. Protection of cultural heritage should be a matter of mutual concern and cooperation between the two communities; however, the Turkish side, in a lamentable display of arrogance and disrespect to the history and culture of Cyprus, opts to deliberately widen the gap by promoting its own political expediencies.



On behalf of the Government of the Republic of Cyprus, I strongly protest the aforementioned deplorable act against culture and appeal to you to exert your influence over the Government of Turkey so that it may abide by its obligations, as emanating from the relevant international conventions, and refrain from similar provocations in the future.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(Signed) Andreas D. Mavroyiannis

**General Assembly
Security Council**

Distr.: General
3 October 2005

Original: English

General Assembly
Sixtieth session
Agenda items 12, 52, 106, 107, 108 and 110

Security Council
Sixtieth year

Prevention of armed conflict

Sustainable development

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

**Report of the Secretary-General on the work of
the Organization**

**Letter dated 29 September 2005 from the Permanent
Representative of the Republic of Moldova to the United Nations
addressed to the Secretary-General**

As the Permanent Representative of the country presiding over the GUUAM groups of countries, I have the honour to transmit herewith the texts of the communiqué of the tenth meeting of the Council of Ministers for Foreign Affairs of the GUUAM States (see annex I) and the joint statement of the sixth GUUAM-United States of America ministerial meeting (see annex II) both of which were held in New York on 16 September 2005.

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly under agenda items 12, 52, 106, 107, 108 and 110.

(Signed) Vsevolod Grigore
Ambassador
Permanent Representative



Annex I to the letter dated 29 September 2005 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the Secretary-General

Communiqué of the tenth meeting of the Council of Ministers for Foreign Affairs of the GUUAM States

New York, 16 September 2005

On 16 September 2005, the tenth meeting of the Council of Ministers for Foreign Affairs of the GUUAM States was held in New York in the margins of the sixtieth session of the General Assembly of the United Nations. Representatives of the Republic of Azerbaijan, Georgia, the Republic of Moldova and Ukraine took part in the meeting. A meeting of the participants with the delegation of the United States of America was held later that day.

The Council reviewed the decisions of the GUUAM Summit of Heads of State, held on 22 April 2005 in Chisinau, and noted with satisfaction the progress achieved in realization of the Chisinau declaration, "For the sake of democracy, stability and development".

The Council also reviewed the decisions taken at its ninth meeting, held on 21 April 2005 in Chisinau. It was agreed that the transformation of GUUAM into an international organization, including the creation of the GUUAM secretariat on the basis of the GUUAM information office in Kyiv, and the development of a GUUAM partnership institution are of utmost importance for achievement of the goals envisaged in the Chisinau declaration.

The Ministers welcomed the outcome of the second and third meetings of the GUUAM Parliamentary Assembly, held, respectively, on 28 May 2005 in Yalta and on 8 September 2005 in New York. They expressed their confidence that the GUUAM Parliamentary Assembly would become an effective instrument of parliamentary diplomacy at the regional and European levels, aimed at assisting in creating common space for strengthening democracy, increasing security and deepening economic, scientific, cultural and other fields of cooperation in the GUUAM region. In addition, the Ministers appreciated the organization of the meetings of the specialized committees of the GUUAM Parliamentary Assembly in Chisinau on 27 September 2005.

Examining the implementation of the GUUAM programme of work for 2005, the Council took note of the reports of the third meeting of the Steering Committee on Trade and Transportation Facilitation (Baku, 12 July 2005), the Working Group on Combating Terrorism, Organized Crime and Drug Trafficking (Baku, 25 July 2005) and the Working Group on Trade and Economic Development (Kyiv, 30 and 31 August 2005).

The Ministers took note of the protocol of the first meeting of the group of experts on the elaboration of statutory documents of the organization to be established on the basis of GUUAM, held on 30 and 31 August 2005 in Kyiv.

Praising the information provided by Ukraine about accreditation of the GUUAM information office in Kyiv, the Council requested the Ukrainian side to take the necessary steps in order to make the office fully operational.

The Ministers noted with satisfaction the increased cooperation of the GUUAM group of countries in combating terrorism and organized crime. They welcomed the high level of cooperation achieved in the first phase of the anti-drug operation "Harmony", which was held by the GUUAM States in cooperation with the Southeast European Cooperative Initiative (SECI) Centre and with the assistance of the United States of America.

Appreciating the high-level cooperation between GUUAM and the United States, the Ministers underlined the importance of strengthening cooperation in the project on trade and transport facilitation as well as the project on the creation of the GUUAM virtual centre and the Interstate Information Management System (VC/IIMS).

The Council took note with interest of the information provided by the Republic of Moldova about the creation of the Centre on Combating Human Trafficking with the assistance of the United States. The agreement on initiative between the Republic of Moldova and the United States Government was signed in Chisinau on 6 September 2005.

The Council highly appreciated the active support of the Government of the United States to the GUUAM initiatives, involving experts from Bulgaria, Hungary, Lithuania and Romania, especially in the field of trade and transportation and combating terrorism/organized crime.

The Ministers were pleased to note the increasing interest in the GUUAM group on the part of other international organizations and States. To this end, they agreed to develop the partnership relations with those interested parties, including through adoption of the statute on the status of the partners of GUUAM. They welcomed the participation of the Republic of Moldova, as the chairing State in GUUAM, in the meeting of the Visegrad Group.

The Council reiterated the interest of GUUAM in establishing cooperation with the European Union in fields of mutual interest.

The Ministers evaluated positively the development of cooperation of the participating States of GUUAM within international organizations, in particular, the United Nations and the Organization for Security and Cooperation in Europe (OSCE).

Stressing the necessity of further developing economic cooperation, the Ministers supported the Georgian initiative to hold the second GUUAM economic forum on 21 and 22 November 2005, in Tbilisi.

Guided by the relevant provisions of the Chisinau declaration on the importance of intensifying the joint efforts of the GUUAM States on the settlement of conflicts in the GUUAM region, the Ministers welcomed the initiative of Azerbaijan to hold the first expert meeting on this issue in Baky in the end of October 2005.

The Council decided to submit to the attention of the next summit of the GUUAM Heads of State the declaration of Uzbekistan on withdrawal from GUUAM and to propose that an appropriate decision be made.

The Council welcomed the willingness of Ukraine to assume the chairmanship of GUUAM in 2006.

The Council took a decision to organize the eleventh meeting of the Council of Ministers for Foreign Affairs of the GUUAM States within the margins of the meeting of the Council of Ministers for Foreign Affairs of OSCE in Slovenia in December 2005.

**Annex II to the letter dated 29 September 2005 from the
Permanent Representative of the Republic of Moldova to the
United Nations addressed to the Secretary-General**

**Joint statement of the sixth GUUAM-United States of America
ministerial meeting**

**New York
United Nations General Assembly
16 September 2005**

On 16 September 2005, the sixth consecutive ministerial meeting of GUUAM-United States of America was held in New York on the margins of the sixtieth session of the United Nations General Assembly.

The GUUAM Ministers for Foreign Affairs and United States Assistant Secretary of State, Dan Fried, discussed a wide range of issues, including cooperation between the two parties and progress in the implementation of the GUUAM-United States of America framework programme. The participants focused on the accomplishments of the GUUAM group since the last GUUAM-United States meeting, held on 22 April 2005 in Chisinau.

The Ministers welcomed the development of the United States-GUUAM framework projects. Since the Chisinau Summit, the United States sponsored Euro-Atlantic Advisory Team has been assisting the GUUAM group of countries in implementing the GUUAM Virtual Centre on Combating Terrorism, Organized Crime, Drug Trafficking and Other Dangerous Types of Crime and the GUUAM Interstate Information Management System (VC/IIMS) and Trade and Transport Facilitation projects. In July, the GUUAM organization held meetings of the Working Group on Combating Terrorism, Organized Crime and Drug Trafficking and the Steering Committee on Trade and Transport Facilitation to further coordinate the development of the national structures for implementing the two projects.

During the first two weeks of September, the GUUAM group of countries completed the second phase of the "Operation Harmony" counter-narcotics operation in cooperation with the Law Enforcement Centre of the Southeast European Cooperative Initiative (SECI) and the first phase of the trade and transport facilitation border reform process was initiated with the start of assessment missions carried out by United States and Lithuanian customs advisers.

The Ministers also recognized the importance of further development of the two projects. Over the next six months, the GUUAM group of countries expect to plan and develop law enforcement operations for countering the trafficking in narcotics and the trafficking in persons in the region. By the time of the November meeting of the Working Group on Combating Terrorism, Organized Crime and Drug Trafficking, the GUUAM group of countries will have completed their inter-agency offices for the Virtual Centre and Interstate Information Management System and will continue the development of the regional task force structure that will conduct additional law enforcement exercises.

As part of the trade and transport facilitation project, the GUUAM group of countries will use the trade and transport facilitation border assessment to develop a regional training programme to address gaps in their ability to develop the best international practices at the region's key ports of entry.

Assistant Secretary of State Fried commended GUUAM on jointly drafting and adopting the regional strategy and action plans for two projects developed under the GUUAM-United States framework programme:

- The Trade And Transport Facilitation Project of the GUUAM States
- The GUUAM Virtual Centre and Interstate Information Management System (VC/IIMS).

The Ministers expressed their gratitude to the United States Government for providing technical and advisory assistance in the development of the draft documents during their experts meetings in Kyiv and Baku. The two sides affirmed the importance of urgent implementation of the trade and transport facilitation and VC/IIMS projects. The United States Department of State expressed its continued commitment to supporting the next steps taken by GUUAM to implement both projects.

The GUUAM States expressed their interest and intention to cooperate with the European Union in the sphere of implementation of the projects laid down within the GUUAM framework. The United States also welcomed the engagement of the European Union in the group's activities and underlined the importance of the support of the European Union in implementing GUUAM projects and programmes. The willingness to further proceed with the dialogue within the format of the GUUAM-European Union and GUUAM-European Union-United States contacts was declared a priority.

The participants agreed that terrorism represents one of the most dangerous threats to international peace and stability today. In this regard, the implementation of the GUUAM VC/IIMS projects, with the assistance of the United States Department of State and the European Union, is of paramount importance.

The participants expressed their readiness to continue the political and practical support for the development of the GUUAM group of countries and their cooperation with the Euro-Atlantic community and its institutions.

The United States highly appreciated the fact that GUUAM had been granted observer status in the General Assembly of the United Nations and declared its intention to support the further development of GUUAM cooperative activities in the framework of the General Assembly.

Participants underlined the importance of establishing an inter-parliamentary body to provide legislative support to the framework programme.

It was agreed that the transformation of GUUAM into an international organization, including the creation of the GUUAM secretariat on the basis of the GUUAM information office in Kyiv and the development of a GUUAM partnership institution, are of utmost importance for the achievement of the goals envisaged in the Chisinau declaration.

**General Assembly
Security Council**

Distr.: General
3 October 2005
English
Original: Spanish

General Assembly**Sixtieth session**

Agenda item 108

Measures to eliminate international terrorism**Security Council****Sixtieth year****Letter dated 29 September 2005 from the Permanent
Representative of the Bolivarian Republic of Venezuela to the
United Nations addressed to the Secretary-General**

I have the honour to transmit herewith a communiqué from the Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela, making a pronouncement on the current status of the request for the extradition of terrorist Luís Clemente Posada Carriles, who, as is common knowledge, is presently in the United States of America (see annex). The acts of which he stands accused as a terrorist are explained in detail in the document circulated by the Secretariat of the United Nations dated 16 June 2005 under the symbol A/59/849-S/2005/394.

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the General Assembly, under agenda item 108, and as a document of the Security Council.

(Signed) **Fermin Toro Jiménez**
Ambassador
Permanent Representative



Annex to the letter dated 29 September 2005 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

Pronouncement on the results of the immigrations proceedings regarding terrorist Luís Clemente Posada Carriles in the United States of America

The Ministry of Foreign Affairs wishes to inform the general public of its categorical rejection of the decision of Judge William Abbot, who ruled that Luís Posada Carriles could not be deported to Venezuelan territory on the grounds that he might be subject to torture. That decision was based entirely on the false allegations of Posada Carriles's defence counsel, with no other legal substantiation than the testimony of a supposed expert witness, whose objectivity is in doubt in view of his previous working connection with Posada Carriles.

It should be noted that the Constitution of the Bolivarian Republic of Venezuela enshrines in article 46 respect for the physical, psychological and moral integrity of every individual and expressly prohibits torture and degrading treatment. It provides in article 43 for the inviolability of the right to life and in article 49 for the right of every citizen to due process before the organs responsible for the administration of justice. Moreover, the country has been a party to the Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment since 26 July 1991. At no time in recent years has the Bolivarian Republic of Venezuela been the subject of allegations by any international organization about the torture of any person. Furthermore, the country adheres to international criminal procedural safeguards, as has been demonstrated in the cases in which fugitives from justice from neighbouring countries have been deported or extradited.

The Ministry of Foreign Affairs considers that this decision is totally unacceptable and reveals the political manipulation of the case, in which disrespect was shown for the most fundamental principles of international law. It is clear to the international community that the Government of the United States of America is giving out double messages, proclaiming its leadership in the fight against terrorism, while at the same time harbouring a fugitive from Venezuelan justice who is accused of killing 73 persons by blowing up a passenger airliner on 6 October 1976.

The Ministry of Foreign Affairs, in the name of the Venezuelan people and above all for the sake of the justice that is owed to the families of the victims, states its demand to the United States Department of State that it should immediately turn over to a federal judge the file delivered by the Bolivarian Republic of Venezuela on 15 June 2005, in which it requested the extradition of Luís Posada Carriles, so that proceedings may be initiated that, we hope, will lead to the extradition of the terrorist in the interests of justice.

We are confident that the people of the United States of America, who themselves have experienced the tragedy of being victims of terrorism, will add their voices to the those of the Venezuelan people in this struggle and will demand that their authorities extradite the terrorist Luís Posada Carriles to Venezuelan territory.



General Assembly

Distr.: General
3 October 2005

Original: English

Sixtieth session
Agenda item 43
Culture of peace

Letter dated 29 September 2005 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a copy of the outcome document unanimously adopted by the meeting of Foreign Ministers of member countries of the International Committee for the Development of Lumbini held on 16 September 2005 at United Nations Headquarters, on the sidelines of the High-level Plenary Meeting of the General Assembly (see annex).

I would appreciate it if you could kindly circulate the attached text as a document of the sixtieth session of the General Assembly under item 43 of the agenda.

(Signed) Madhu Raman Acharya
Ambassador
Permanent Representative



Annex to the letter dated 29 September 2005 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General

Outcome document of the Meeting of the Foreign Ministers of the member States of the International Committee for the Development of Lumbini, New York, 16 September 2005

1. At the invitation of Ramesh Nath Pandey, Minister for Foreign Affairs of the Kingdom of Nepal, a meeting of Foreign Ministers and representatives of member countries of the International Committee for the Development of Lumbini (ICDL), comprising Afghanistan, Bangladesh, Bhutan, Cambodia, India, Indonesia, Japan, the Lao People's Democratic Republic, Malaysia, Myanmar, Nepal, Pakistan, the Republic of Korea, Singapore, Sri Lanka and Thailand, was held on 16 September 2005 at United Nations Headquarters, on the sidelines of the High-level Plenary Meeting of the General Assembly.
2. The Foreign Ministers and representatives expressed their appreciation to His Majesty's Government of Nepal for having hosted the meeting and provided a briefing on the current state of development of Lumbini, the birthplace of Lord Buddha, Apostle of Peace.
3. They further expressed their sincere gratitude to His Majesty the King of Nepal for his inspiring message to the meeting.
4. They noted with appreciation the efforts made by His Majesty's Government of Nepal for the implementation of the master plan for the development of Lumbini since its adoption in 1978.
5. They noted with satisfaction that the United Nations Educational, Scientific and Cultural Organization has included Lumbini on the list of World Heritage sites.
6. The Foreign Ministers and representatives reaffirmed that the values of peace, non-violence, compassion, friendship and cooperation embodied in the teachings of Lord Buddha are more relevant to the contemporary world than ever before.
7. They reiterated their commitment of international support to the full implementation of the master plan and urged the international community to extend its cooperation to the Lumbini Development Trust in this regard.
8. They urged the United Nations and its agencies to consider their cooperation to complement the national efforts of Nepal for the development of Lumbini.
9. The Foreign Ministers and representatives noted with appreciation the presentation of the study entitled "Vision and Scoping: Lumbini the Foundation of World Peace" carried out by the United Nations Development Programme (UNDP) in 2000.
10. They recognized the following:
 - Making Lumbini a world peace city and fountain of peace
 - Simultaneous development of other Buddhist sites near Lumbini
 - Socio-economic uplifting of the local population, including poverty alleviation

- Developing Lumbini as an international tourist destination and as a hub for other Buddhist sites in the region
 - The importance of preserving a pristine environment and the sanctity of the cultural heritage of Lumbini.
11. The Foreign Ministers and representatives agreed:
- To reactivate the International Committee for the Development of Lumbini, and directed the Permanent Representatives of the member countries of the Committee to meet at least once a year to take stock of the development of Lumbini. The Committee may form a small working group of experts to help it, if necessary
 - To consider measures for the implementation of the recommendations contained in the study carried out by UNDP in 2000, including through the involvement of the United Nations system and other international organizations
 - To recommend to the United Nations system to update the study, taking into account the new developments concerning Lumbini
 - To welcome China, Mongolia, Viet Nam and others if they wish to join the Committee as members.
12. They appreciated the offer of His Majesty's Government of Nepal to host the next meeting of the International Committee for the Development of Lumbini at Lumbini.
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**General Assembly
Security Council**

Distr.: General
3 October 2005
English
Original: Spanish

General Assembly
Sixtieth session
Agenda items 71 and 108

Security Council
Sixtieth year

Human rights questions

Measures to eliminate international terrorism

**Letter dated 30 September 2005 from the Permanent
Representative of Cuba to the United Nations addressed
to the Secretary-General**

I have the honour to transmit herewith a press release from the Permanent Mission of the Republic of Cuba to the United Nations (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 71, "Human rights questions", and agenda item 108, "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Orlando **Requeijo Gual**
Ambassador
Permanent Representative



Annex to the letter dated 30 September 2005 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Press release from the Permanent Mission of the Republic of Cuba to the United Nations

On Tuesday, 27 September 2005, a spokeswoman for the United States Bureau of Immigration and Customs Enforcement announced in El Paso, Texas, the hasty decision of Judge William L. Abbott not to deport the terrorist Luis Posada Carriles to Venezuela or Cuba, on the grounds that he was at risk of being tortured in either nation, and resorting in a contrived way to the exemptions provided for in the Convention against Torture.

On 28 September 2005, in an attempt to prolong the detention of the five Cuban anti-terrorist fighters, United States federal prosecutors in Florida announced their petition to the Court of Appeals in Atlanta for a full review of the ruling in August by a panel of three experienced judges to overturn the trial of the five Cubans in Miami on the grounds that it had not been "fair and impartial", and to order a new trial in a new venue.

Both of these news items reflect the full magnitude of the cynical and shameless conduct of the United States Government and the false and hypocritical nature of its so-called anti-terrorist crusade.

For two months, the White House concealed the presence of terrorist Luis Posada Carriles on United States soil and to this day refuses to reveal how he arrived in the country.

His arrest, which was unavoidable given the forcefulness of Cuba's denunciations, was carried out as gently and sympathetically as possible. His stay in an immigration detention centre has been marked by preferential treatment and Government spokespersons were time and again forced to resort to verbal gymnastics to avoid using the word terrorist to describe him.

In contrast, the arrest in Miami seven years ago of the five young Cuban anti-terrorist fighters was characterized by violence and the violation of their rights. They endured 17 long months in solitary confinement and a trial tainted by manipulation, bias and the vengeful hatred of the anti-Cuban mafia and its slanders. Their absurdly long sentences were the fruit of vengeance and lies.

In the case of the Cuban Five, federal prosecutors filed false charges, threatened witnesses and manipulated evidence. The conduct of the prosecutors during the El Paso trial was no less shameful: not a single argument or a single witness was presented to counter the machinations of the defence, as though there had been a prior agreement to protect the terrorist.

The same Government that has launched wars and sent its soldiers to die in the name of the fight against terrorism is the one that is now harbouring one of the most notorious terrorists of our times, the mastermind behind the horrendous sabotage of a Cuban airliner with 73 passengers aboard and the person responsible for the murders of many other citizens of Cuba and other nations.

Washington is defending one of its foot soldiers in its criminal war against our people, in its support for Latin American dictatorships in earlier decades, in the sinister operations of the dirty war in Central America and in the attempts on the lives of political figures and heads of State opposed to imperialism's hegemonic interests.

How cynical then to resort to the argument of torture in the case of Posada Carriles, when it is he who stands accused in Venezuela of having savagely tortured many citizens of that country during his years as an officer in DISIP.

It is all the more cynical as the country being accused internationally of practising torture is neither Venezuela nor Cuba, but precisely the United States, which has made that degrading treatment a common practice in Afghanistan, Iraq and the illegally occupied naval base at Guantanamo.

Cuba, moreover, has not sought the extradition of the terrorist, in spite of the fact that it has every right to do so. It is Venezuela that has requested the extradition of a criminal who still owes a debt to that country's justice system and which has offered all the necessary guarantees to put Posada Carriles on trial. The Government of the United States has maintained a shameful silence on this request in a clear demonstration of its complicity with the terrorist.

It remains to be seen which third-party country will offer to take in such a criminal and relieve Washington of this particular hot potato, as is foreshadowed by Judge Abbott's decision.

Cuba will not stop fighting until Posada Carriles, Orlando Bosch and other terrorists of their ilk are convicted of their crimes.

Cuba will continue to support the legitimate request for extradition presented by the Bolivarian Republic of Venezuela.

Cuba will continue to denounce the cruel detention of our five heroes of the anti-terrorist struggle in remote prisons in the United States. Our people will never give up their struggle for them to return to their homeland with dignity and in freedom.



**General Assembly
Security Council**

Distr.: General
4 October 2005

Original: English

General Assembly
Sixtieth session
Agenda items 14 and 31

Security Council
Sixtieth year

The situation in the Middle East

**Report of the Special Committee to Investigate Israeli
Practices Affecting the Human Rights of the Palestinian
People and Other Arabs of the Occupied Territories**

**Identical letters dated 30 September 2005 from the Permanent
Representative of the Syrian Arab Republic to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

I would be grateful if you could circulate the present letter and its annex as a document of the General Assembly, under agenda items 14 and 31, and of the Security Council.

(Signed) **Fayssal Mekdad**
Ambassador
Permanent Representative



Annex to the identical letters dated 30 September 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

I should like to draw your attention to the provocative, hostile and dangerous statements of certain Israeli officials, affirming their determination that the occupied Syrian Golan should remain permanently in Israeli hands.

On 27 September 2005 the Israeli Minister of Defence stated that Israel should continue its settlement operations in the Golan and do whatever was necessary for industry to flourish there because the Golan would remain in Israel's hands forever.

The Israeli Prime Minister, too, recently stated that the Golan would not be returned to Syria even in exchange for total peace between the countries. The Israeli Vice-Prime Minister and Minister of Industry and Trade stated at a meeting, in which the Vice-Chairman of the Golan Settlers' Council took part, that it had been agreed that the Israeli Government would offer a package of financial and tax advantages, grants and facilities to encourage Israeli investors to settle in the Golan.

All these hostile acts and statements, which are at odds with international legitimacy and the United Nations resolutions on the occupied Syrian Golan, come at a time when the international community is hoping for a reduction of tension and the establishment of a just and comprehensive peace in the Middle East. These Israeli practices and statements amount to brazen disregard for the Charter and relevant resolutions of the United Nations, the rule of international law and international humanitarian law and the fourth Geneva Convention of 1949, under which settlement is considered a war crime.

The Security Council, in its resolution 497 (1981), reaffirms "that the acquisition of territory by force is inadmissible, in accordance with the United Nations Charter, the principles of international law, and relevant Security Council resolutions" and "decides that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect". In that resolution the Security Council "demands that Israel, the occupying Power, should rescind forthwith its decision" and "determines that all the provisions of the Geneva Convention" also "apply to the Syrian territory occupied by Israel since June 1967". In addition, the General Assembly has denounced the policies of settlement, annexation and occupation in resolutions adopted by it every year, the most recent of which were its resolutions 59/125 and 59/33, in which it expressed the international community's rejection of Israeli policies.

Israel's continued defiance of the relevant resolutions of the Security Council and the General Assembly and its occupation of the Syrian Golan and of Palestinian territory for more than 38 years can no longer be accepted. It has become imperative for the Security Council to require Israel to comply with its relevant resolutions and not to allow it to violate them and thus evade its obligations under international law.

While Israel concentrates on summoning settlers to the occupied lands and building more and more settlements there, half a million Syrian nationals forcibly

evicted from the Golan by Israel at the time of the June 1967 hostilities are determined to liberate their land and return to their homes at no matter what sacrifice and no matter how long the occupation may last. Moreover, every day the thousands of Golan natives who have remained under the Israeli occupation reaffirm their absolute allegiance to their mother country, Syria, and their rejection of the occupation with its oppressive practices and defy, with unflinching determination, the criminal practices of the Israeli occupying authorities, including Israel's continued detention of some Golan natives for more than 20 years now.

Syria asserts once again that the occupied Golan is Syrian territory that cannot be relinquished and that Israel is required under the resolutions constituting international legitimacy to withdraw from the occupied Syrian Golan to the line of 4 June 1967. The Syrian Arab Republic takes the statements by Israeli officials regarding the continuation of the occupation of the Golan forever and the building of more settlements as the latest dangerous escalation of the situation in the region and as pointing to a decision of the Sharon Government to kill the peace process and bury the relevant United Nations resolutions.

Over against Israel's defiance and rejection of a just and comprehensive peace in the Middle East, Syria has for many long years made every possible effort towards a successful outcome of the peace process in the Middle East based on the terms of reference of the Madrid Peace Conference, Security Council resolutions 242 (1967) and 338 (1973) and principle of land for peace. Syria has invited Israel to resume the principle without any conditions, bearing in mind that the relevant United Nations resolutions do not set any preconditions.

The Syrian Arab Republic entreats the international community, the Security Council and the States Members of the United Nations to condemn these Israeli policies and demand that the Israeli Government renounce its expansion, annexation and settlement policies, which cannot but lead to an escalation of tension in this sensitive region of the world. Syria calls on the Security Council to enforce the resolutions on the struggle in the Middle East without discrimination or the use of double standards.



General Assembly

Distr.: General
4 October 2005

Original: English

Sixtieth session

Agenda items 46, 50, 51 and 57

**Integrated and coordinated implementation of and follow-up
to the outcomes of the major United Nations conferences
and summits in the economic, social and related fields**

Macroeconomic policy questions

**Follow-up to and implementation of the outcome of the
International Conference on Financing for Development**

Operational activities for development

**Letter dated 26 September 2005 from the Permanent
Representative of Jamaica to the United Nations addressed
to the Secretary-General**

I have the honour to transmit herewith the Ministerial statement adopted by the twenty-ninth annual Meeting of Ministers for Foreign Affairs of the Group of 77, held at the United Nations Headquarters in New York on 22 September 2005 (see annex).

On behalf of the Group of 77 and China, I would appreciate if the present letter and its annex were circulated as a document of the General Assembly, under agenda items 46, 50, 51 and 57.

(Signed) **Stafford Neil**
Ambassador

Permanent Representative of Jamaica to the United Nations
Chairman of the Group of 77



Annex to the letter dated 26 September 2005 from the Permanent Representative of Jamaica to the United Nations addressed to the Secretary-General

Ministerial statement

1. The Ministers of Foreign Affairs of the Group of 77 and China met in New York on 22 September 2005 for the Twenty-Ninth Annual Meeting of Ministers, chaired by the Honourable K. D. Knight, MP, Minister of Foreign Affairs and Foreign Trade of Jamaica, in his capacity as Chairman of the Group of 77.
2. The Ministers recalled the successful convening of the Second South Summit of the Group of 77 and China, held from 12 to 16 June 2005, in Doha, Qatar. They expressed their appreciation to the Government of Qatar for hosting the Summit and reaffirmed their commitment to work towards the full implementation of the Doha Declaration and the Doha Plan of Action, in particular the strengthening of South-South Cooperation, including through regional and interregional cooperation and called upon the international community, including the international financial institutions, to support the efforts of developing countries, inter alia, through triangular cooperation.
3. The Ministers noted that arrangements for the establishment of the South Fund for Development and Humanitarian Assistance were being drafted by a national committee appointed by the State of Qatar and that a report would be submitted to the Chairman of the Group no later than January 2006.
4. The Ministers welcomed the convening of the Panel of Experts to elaborate a Development Platform for the South in Kingston, Jamaica, from 29 to 30 August 2005, as mandated by the Second South Summit. They took note of the progress report (Doc. G-77/AM(XVII)/2005/8) by the Chairman of the Group of 77 on the preparation of the Platform and agreed that the Chairman should continue his efforts in consultation with the South Centre and other relevant institutions on arrangements for completing the Platform.
5. The Ministers reviewed developments in the international economic environment and activities undertaken in the context of the development agenda of the United Nations, in particular the 2005 World Summit Outcome and the Meeting on Financing for Development held during the High-level Plenary Meeting of the General Assembly on 14 September 2005. They reaffirmed their commitment to the MDGs and the other internationally agreed development goals, while reiterating the call for development partners to fulfil their obligations, especially in the context of the global partnership for development.
6. The Ministers noted that while the development cluster of the 2005 World Summit Outcome fell short of the expectations of the G-77 and China, there were positive elements which could be used as a platform for actively promoting the implementation of commitments made in previous UN summits and conferences and decided that special efforts would be made during the current session of the General Assembly towards advancing these objectives. They drew particular attention to the decision of some donor countries to establish timetables for the attainment of the 0.7 per cent target of GNP for ODA and the emphasis placed on the need for a timely, effective, comprehensive and durable solution to the debt problems of developing countries. They expressed regret that there was not a more expansive treatment of trade issues and also expressed concern about the inadequate treatment of systemic inequities in international economic relations, in particular the slow progress in enhancing the voice and participation of developing countries in the Bretton Woods Institutions, which operate to the detriment of developing countries. The Ministers also drew attention to the importance of ensuring the full implementation of recommendations such as those for research and development in science and technology and for strengthening health systems in developing countries.

7. The Ministers stressed the importance in the reform of the United Nations for a strong and empowered Economic and Social Council (ECOSOC) to promote implementation of the development agenda and promote international economic cooperation.
8. The Ministers emphasized the importance of sending a strong political message to the WTO Ministerial Meeting in Hong Kong later this year for special attention to be paid to the development dimension of trade in all areas of the negotiations.
9. The Ministers reiterated the significance of increased financing for development, including the need to meet the long-standing target of 0.7 per cent of GNP for ODA to developing countries, wider and deeper debt relief to developing countries, as well as ongoing efforts aimed at identifying additional, innovative sources of financing. In this regard, they welcomed the offer of the State of Qatar to host the follow-up Conference to the International Conference on Financing for Development in 2007.
10. The Ministers welcomed the progress report by the Chairman of the Group of 77 on the G-77 Chamber of Commerce and Industry (G-77 CCI), contained in document G-77/AM(XVII)/2005/6 /REV.1 and approved its recommendations. The Ministers agreed that the outcome of the process would be submitted by the Chairman of the Group of 77 to the Annual Ministerial Meeting of the Group in September 2006 for consideration and appropriate action.
11. The Ministers approved the Report of the Twentieth Meeting of the Committee of Experts of the Perez-Guerrero Trust Fund for ECDC/TCDC (Doc. G-77/AM(XVII)/2005/2), which was presented in accordance with the guidelines for the utilisation of the PGTF and endorsed its recommendations. The Ministers commended the Chairman of the Committee of Experts for his continued commitment and expressed their satisfaction with the results achieved by the PGTF and invited member states to participate in the UN Pledging Conference to be held in New York on 11 November 2005.
12. The Ministers approved the Financial Statement of the ECDC Account of the Group of 77 (Doc.G-77/AM(XVII)/2005/3) for 1 January – 31 August 2005, as presented by the Chairman of the Group of 77 and urged those member states that have not yet done so to make special efforts to pay their outstanding contributions.
13. The Ministers welcomed the election of the Republic of South Africa to the Chairmanship of the Group of 77 in 2006.



**General Assembly
Security Council**

Distr.: General
5 October 2005

Original: English

**General Assembly
Sixtieth session
Agenda item 19
Question of Cyprus**

**Security Council
Sixtieth year**

**Letter dated 3 October 2005 from the Permanent
Representative of Turkey to the United Nations addressed
to the Secretary-General**

I have the honour to transmit herewith a letter dated 3 October 2005, addressed to you by Mr. Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(Signed) Baki İlikin
Ambassador
Permanent Representative



Annex to the letter dated 3 October 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 23 September 2005 addressed to you by the Greek Cypriot representative and circulated as a document of both the General Assembly and the Security Council (A/60/381-S/2005/607), which yet again contains allegations of violations of the "airspace of the Republic of Cyprus" and of the "flight information region (FIR) of Nicosia", and to bring to your kind attention the following:

In response to such false and pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. Furthermore, it should be emphasized that allegations of so-called violations of the flight information region or violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As stated in our previous letters, such allegations are based on the false and illegitimate claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This claim by the Greek Cypriot side is divorced from the existing realities in Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within and above its respective territory on the island.

Attempts by the Greek Cypriot representatives, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile as long as the Turkish Cypriot people refuse to bow to its writs. What would indeed be conducive to a better climate on the island would be for the Greek Cypriot side to stop arrogating to itself rights and responsibilities it does not legally have and to cease all hostilities towards the Turkish Cypriot people.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. Following the rejection by the Greek Cypriot side of the United Nations settlement plan last year, the international community in general and the United Nations in particular is expecting positive moves from the Greek Cypriot administration demonstrating its political will and sincerity for a fair and just settlement in Cyprus. As a first step, the Greek Cypriot administration, without further delay, should heed your call and pronounce itself with "clarity" and "finality" on the question you have put to it.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(Signed) Reşat Çağlar
Representative
Turkish Republic of Northern Cyprus



General Assembly

Distr.: General
5 October 2005
English
Original: Spanish

Sixtieth session

Agenda items 46 and 120

**Integrated and coordinated implementation of and follow-up
to the outcomes of the major United Nations conferences and
summits in the economic, social and related fields**

Follow-up to the outcome of the Millennium Summit

Letter dated 27 September 2005 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a copy of a letter addressed by the President of Mexico, Vicente Fox Quesada, to the Heads of State and of Government of the States Members of the United Nations, on behalf of the Group of Friends for the Reform of the United Nations, consisting of Algeria, Australia, Canada, Chile, Colombia, Germany, Japan, Kenya, Mexico, New Zealand, the Netherlands, Pakistan, Singapore, Spain and Sweden (see annex).

I should be grateful if you would have this letter circulated as a document of the sixtieth session of the General Assembly under agenda items 46 and 120.

(Signed) Enrique Berruga Filloy
Permanent Representative of Mexico to the United Nations



Annex to the letter dated 27 September 2005 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

[Original: English]

I am writing to you on behalf of the Heads of State and Government of the 14 countries, which, together with Mexico, have been working for the last year and a half as the Group of Friends for the reform of the United Nations. The Governments of Algeria, Australia, Canada, Chile, Colombia, Germany, Japan, Kenya, the Netherlands, New Zealand, Pakistan, Singapore, Spain, Sweden and Mexico, as firm believers of multilateralism, have been advocating, through concrete and bold proposals, the reform of the United Nations.

The 15 of us see the sixtieth anniversary of the United Nations as a unique opportunity to transform our Organization. We believe that today's global challenges and threats need to be tackled by a better shaped, more efficient and stronger United Nations. Our shared responsibility towards development, the defence and promotion of human rights and the international peace and security agenda demand a common recognition of the need for courageous, ambitious and forward-looking commitments.

Those commitments were agreed upon at the conclusion of the High-Level Plenary Meeting of the General Assembly. We will soon begin the crucial phase of implementing the outcome document of the 2005 World Summit. If we fail to turn our words into actions, multilateralism will not be able to produce the solutions that our societies demand all over the world. The United Nations, in particular, will be discredited and support for it may be undermined. The 15 of us, as the Group of Friends, worked intensively to obtain the opposite result: a healthier and more modern Organization.

Today, there is a real concern and a more forceful drive towards reform. Let us seize the overriding importance that we, Heads of State and Government, as well as the international community, are lending to this issue.

On behalf of the Group of Friends of the reform of the United Nations, I respectfully urge you to continue working in order to implement the commitments and agreements reached during the High Level Plenary Meeting. Rest assured that the Group of Friends will continue taking the necessary actions aimed at attaining our common goal of bringing about a comprehensive and sound United Nations reform.

(Signed) **Vicente Fox Quesada**
President of Mexico